

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

2:10-CR-426-ECR (LRL)

EMERSON ZAPOTOSKY,)

Defendant.)

AMENDED FINAL ORDER OF FORFEITURE

On January 12, 2011, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), based upon the plea of guilty by defendant EMERSON ZAPOTOSKY to the criminal offense, forfeiting specific property alleged in the Indictment and shown by the United States to have a requisite nexus to the offense to which defendant pled guilty. #1, #19, #20, #22.

This Court finds the United States of America published the notice of the forfeiture in accordance with the law on February 2, 2011, February 9, 2011, and February 16, 2011, in the Las Vegas Review-Journal/Sun, notifying all known third parties of their right to petition the Court. #23.

On July 18, 2011, BRIAN PATRICK SCHWALM was personally served with the Preliminary Order of Forfeiture and the Notice. #28. Contact attempt telephone calls were made to Mr. Schwalm on August 16, 2011, and on September 2, 2011, by the Forfeiture Unit of the United States Attorneys Office with no return.

1 This Court finds no petition was filed herein by or on behalf of any person or entity and the
2 time for filing such petitions and claims has expired.

3 This Court finds no petitions are pending with regard to the assets named herein and the time
4 for presenting such petitions has expired.

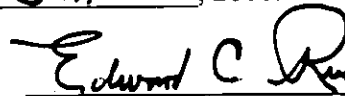
5 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
6 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
7 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
8 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section
9 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to
10 law:

- 11 a. a Taurus 45LC/410GA handgun, serial number CT848647; and
12 b. any and all ammunition.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
14 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as
15 any income derived as a result of the United States of America's management of any property
16 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
17 according to law.

18 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
19 certified copies to the United States Attorney's Office.

20 DATED this 3 day of OCT., 2011.

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22 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I, Dana A. Chrystall, Forfeiture Support Associate Paralegal III, certify that the following individual was served with a copy of the Amended Final Order of Forfeiture on September 30, 2011, by the below identified method of service:

CM/ECF

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/s/Dana A. Chrystall
Dana A. Chrystall
Forfeiture Support Associate Paralegal III